

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Lesley Henry	Team: Team # 5	CCRB Case #: 200907466	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 05/12/2009 2:00 PM	Location of Incident: Corner of 86th Street and West 7th Street	Precinct: 68	18 Mo. SOL 11/12/2010	EO SOL 11/12/2010	
Date/Time CV Reported Thu, 05/14/2009 12:32 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/14/2009 12:32 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Abraham Badillo	13775	936162	PSA 1

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Heriberto Hernandez	18007	932167	PSA 1

Officer(s)	Allegation	Investigator Recommendation
A.POM Abraham Badillo	Abuse: PO Abraham Badillo stopped § 87(2)(b)	
B.POM Abraham Badillo	Abuse: PO Abraham Badillo searched § 87(2)(b)	

Synopsis

On May 12, 2009, at approximately 2:00pm, § 87(2)(b) left the management office of the housing development where she lives and walked along 86th Street between West 8th and West 9th Streets in Brooklyn. She encountered a male individual who works at a convenience store whom she owed money, and provided him with \$1.00 and he returned to her \$0.25. Approximately 1 minute later, she encountered a friend, § 87(2)(b) (actual name unknown) with whom she spoke with for approximately 3 minutes. § 87(2)(b) continued walking and entered the 86th Street N train station to get a metro card in order to take the bus. § 87(2)(b) exited the train station and noticed PO Abraham Badillo of PSA1 approaching her while talking on a police radio. PO Badillo told § 87(2)(b) to stand still and then placed her in handcuffs. He asked her about her interaction with Lupe and an unknown male individual wearing a blue hat who dealt drugs. § 87(2)(b) was not familiar with the male and told the officer she did not have anything to do with buying or selling drugs.

PO Heriberto Hernandez of PSA1 approached moments later as PO Badillo searched § 87(2)(b)'s purse and jacket pockets. An unidentified male officer arrived in an unmarked patrol car and asked § 87(2)(b) if she'd ever been arrested for drugs, but she stated she had not. After approximately 25 minutes, an unidentified male officer in an unmarked blue van arrived and provided PO Badillo with keys that he used to un-cuff § 87(2)(b) and she was released. § 87(2)(b) later discovered that she was missing her photo ID after PO Badillo searched her purse. She was not sure if he dropped it inside of her bag or on the ground.

According to PSA1 roll call (tour 2) on the date of occurrence Officers Badillo and Hernandez were assigned to conditions. § 87(2)(b) provided the CCRB with PO Badillo's name and PO Hernandez's name and shield number when she filed her complaint. She saw the information on the officers' uniforms during the time and place of occurrence. While both officers are Hispanic and § 87(2)(b) provided similar description of each, she was consistent in alleging PO Badillo stopped and searched her, and stated he was the officer with whom she had the most direct interaction. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) filed a complaint with the CCRB by phone on May 14, 2009. On May 22, 2009, she provided the CCRB with a telephone statement, but failed to schedule a CCRB interview due to her missing her photo ID. Between May 18 and June 1, 2009, the undersigned investigator placed 5 phone calls where § 87(2)(b) was reached directly or was left messages; and mailed 2 letters to § 87(2)(b) that went unreturned by the United States Postal Service. On May 22, 2009, when asked to schedule a verified interview, § 87(2)(b) informed the undersigned investigator that she would have to look through too many papers in her house to find her other photo ID. On June 1, 2009, § 87(2)(b) was informed that her case would be closed without further investigation if she was unable to schedule a verified interview and she hung up the phone.

§ 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: